

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Atty. Docket No. (Opt.)

GOUD1240

| Applicant                                     |                |  |  |  |  |  |
|---|----------------|--|--|--|--|--|
| Malservisi et al.                             | _              |  |  |  |  |  |
| Application Number                            | Filed          |  |  |  |  |  |
| 10/634,651                                    | August 5, 2003 |  |  |  |  |  |
| For   |                |  |  |  |  |  |
| Zinc Powders for Use in Electrochemical Cells |                |  |  |  |  |  |
| Group Art Unit                                | Examiner       |  |  |  |  |  |
| 1745  | Unassigned     |  |  |  |  |  |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## **Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 19, 2004.

Caroly/NI\_Williams

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the art listed on the attached SB08A and SB08B forms be considered and cited in the examination of the above-identified application. A copy of the art is enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this art is material to the patentability of the present application.

Applicant hereby states under 37 C.F.R. § 1.97 (e)(1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present statement, as evidenced by the date of the enclosed search report.

Applicant respectfully submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from these references.

Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP** 

Attorneys for Applican

Dated: March 19, '04

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PTO/SB/08A (04-03) INEORMATION DE PADE STATEMENT BY APPLICANT **Application Number** 10/634,651 Filing Date August 5, 2003 First Named Inventor Malservisi et al. 1745 **Group Art Unit Examiner Name Unassigned** Sheet 1 of 1 **GOUD1240 Attorney Docket U.S. PATENT DOCUMENTS** Examiner **Document Number** Initials **Publication Date** Cite Name of Patentee or Applicant of Cited No. Document MM-DD-YYYY Kind Code (if Number known) **A1** Α 5,609,919 03/11/97 Yuan et al. **A2 B1** 6,344,295 02/05/02 Huot. **A3** US 2001/0009741 **A1** 07/26/01 Durkot et al. **Publication Date FOREIGN PATENT DOCUMENTS** Name of Patentee or Applicant of Cited Examiner Cite Document MM-DD-YYYY Initials No. Country Kind Code (if known) Number (Number 43) Code S.A. ACEC-Union Miniere EP 0 427 315 **B1 A2** 05/15/91 N.V. **B2** DE 43 29 431 Noranada Inc. **A1** 03/10/94 WO 96/06196 N.V. Union Miniere S.A. **B3** 02/29/96 Examiner Date Signature Considered

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PTO/SB/08B (04-03)

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| 1                      | NFORM  | MATION DIS              | CL             | OSURE                | Application Number                      | 10/634,651                                    |
| STATEMENT BY APPLICANT |  | Filing Date             | August 5, 2003 |                      |   |   |
|                        |  |                         |                | First Named Inventor | Malservisi et al.                       |   |
|                        |  |                         |                | Group Art Unit       | 1745                                    |   |
|                        |  |                         |                |                      | Examiner Name                           | Unassigned                                    |
| Sheet                  | 1  | of 1                    |                |                      | Attorney Docket Number                  | GOUD1240                                      |
|                        | •  |                         |                | NON-PATEN            | IT LITERATURE DOC                       | UMENTS  |
|                        | C1   | Internation application |                |                      | Report issued o<br>\03/01170 dated Janu | n corresponding internationa<br>ary 23, 2004. |
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|                        |  |                         |                |                      |   |   |
| Examiner<br>Signature  | <u> </u>   |                         |                |                      | Da                                      | nte<br>ensidered                              |

## **USPTO COPY OF REFERENCES SUBMITTED IN IDS**

| Application Number     | 10/634,651        |  |  |
|------------------------|-------------------|--|--|
| Filing Date            | August 5, 2003    |  |  |
| First Named Inventor   | Malservisi et al. |  |  |
| Group Art Unit         | 1745              |  |  |
| Examiner Name          | Unassigned        |  |  |
| Attorney Docket Number | GOUD1240          |  |  |